

**General Assembly
Security Council**Distr.: General
2 March 2004

Original: English

General Assembly
Fifty-eighth session
Agenda items 67 and 156**Security Council**
Fifty-ninth year**Review of the implementation of the Declaration
on the Strengthening of International Security****Measures to eliminate international terrorism****Identical letters dated 2 March 2004 from the Permanent
Representative of Israel to the United Nations addressed to the
Secretary-General and the President of the Security Council**

I am writing following the most recent Palestinian terrorist attack perpetrated against the citizens of Israel.

On Friday, 27 February 2004, at approximately 8 p.m. (local time), Palestinian terrorists perpetrated the deadly ambush of a car travelling on the Lahav-Ashkelon road, killing Eitan Kukoi, age 30, and his wife, Rima Novikov, age 25. The gunmen opened fire on the car from the side of the road and subsequently approached the vehicle after it had stopped and fired additional bursts from point-blank range to ensure that their victims were dead. The front windshield of the couple's car was found shattered and the entire vehicle perforated with bullet holes. The couple is survived by a two-year-old daughter.

The Popular Front for the Liberation of Palestine-General Command and Yasser Arafat's own Fatah Al-Aqsa Martyrs Brigades both claimed responsibility for the attack in statements released to the press. Just last Sunday, 22 February, the Fatah Al-Aqsa Brigades had claimed responsibility for a horrific homicidal attack on a crowded commuter bus in central Jerusalem that killed 8 people and wounded 73. In both this attack and Friday's deadly ambush on the Lahav-Ashkelon road, Palestinian terrorists succeeded by infiltrating an area where the security fence had not yet been completed. With each new Israeli victim of terror, it is all the more tragic that the security fence, the very counter-terrorist defensive measure that could have saved each passing life, is being challenged in the International Court of Justice. In areas currently protected by the security fence, the incidence of terrorist attacks has been significantly reduced.

As Friday's tragic attack indicates, the ongoing failure of the Palestinian Authority to take the strategic decision to dismantle the terrorist infrastructure and dissuade rampant incitement, as it is legally and morally obliged to do, continues to



ravage the lives of innocent civilians and endanger efforts to build a new reality for the people of the region. The refusal of the Palestinian leadership to fulfil its counter-terrorist obligations constitutes a brazen violation of the most basic obligations of international law, human rights, Security Council resolutions and the road map.

Israel calls upon the international community to make clear to the Palestinian leadership and to those regimes sponsoring terrorism in the region its absolute rejection of terrorist tactics, and its acceptance of nothing less than the complete dismantling of terrorist organizations and relentless efforts to prevent terrorism and bring its perpetrators and supporters to justice, in accordance with international law, signed agreements between the parties, and Security Council resolutions, in particular resolution 1373 (2001). Only a unified and uncompromising stand against the perpetrators of these crimes — in all international and domestic forums — can bring an end to the Palestinian strategy of terrorism and violence and make peace between the peoples of the region possible. Rewards for the continuing Palestinian policy of intransigence and terror, in the form of political concessions or the toleration of one-sided initiatives in the organs of the United Nations, can only embolden the terrorists and undermine efforts aimed at achieving a peaceful settlement.

I submit the present letter in follow-up to numerous letters detailing the campaign of Palestinian terrorism launched in September 2000, which document the crimes for which the terrorists and their supporters must be held fully accountable.

I should be grateful if you would arrange to have the text of this letter circulated as a document of the fifty-eighth session of the General Assembly, under agenda items 156 and 67, and of the Security Council.

(Signed) Dan Gillerman
Ambassador
Permanent Representative

**General Assembly
Security Council**Distr.: General
3 March 2004

Original: English

General Assembly**Tenth emergency special session**

Agenda item 5

**Illegal Israeli actions in Occupied East Jerusalem
and the rest of the Occupied Palestinian Territory****Security Council****Fifty-ninth year****Identical letters dated 3 March 2004 from the Permanent
Observer of Palestine to the United Nations addressed to the
Secretary-General and the President of the Security Council**

As it persists with the violent and bloody military campaign it has been incessantly waging in the Occupied Palestinian Territory, including East Jerusalem, Israel, the occupying Power, continues to commit extrajudicial killings of Palestinian civilians in grave breach of international law, including international humanitarian law and human rights law. Today, the Israeli occupying forces fired air-to-land missiles at a car travelling on a road in the Gaza Strip, killing the three Palestinian men inside the car. The occupying Power affirmed that this missile attack was intended as a targeted killing of "militants". Today's attack comes on the heels of a similar attack carried out by the occupying forces on Saturday, 28 February 2004, in which missiles were also fired at a car in the Gaza Strip, killing three other Palestinian men.

Not only are such criminal actions by the occupying Power against the Palestinian civilian population continuing they are actually being escalated. Indeed, the Chief of Staff of the Israeli army, General Moshe Yaalon, affirmed yesterday the occupying Power's intentions to intensify attacks, including targeted killings, against Palestinians. He was quoted as stating, *inter alia*, "In this kind of situation, attack is the best form of defense". Moreover, Israeli army radio reported that orders had been given to "eliminate as many terrorists as possible".

It is starkly apparent that Israel, the occupying Power, is intentionally, deliberately and calculatedly escalating such attacks against the Palestinian population in an attempt to ignite the situation on the ground in the Occupied Palestinian Territory. The daily actions of the occupying forces, including the killing and wounding of civilians, the continued confiscation of land, the destruction of property and the construction of the Wall, are clearly intended to aggravate the situation, inflame tensions and instigate a violent Palestinian response. Indeed, following the extrajudicial killings carried out today and on Saturday there have been repeated calls for revenge against the occupying Power by many within the Palestinian populace. It is unquestionable that these Israeli policies and practices



aim to continue fueling the vicious cycle of violence between the two sides to the preclusion of any peace initiative or peace efforts, thus subverting any potential for dialogue between the two sides and a return to negotiations. Only by perpetuating the tumultuous situation on the ground and undermining all efforts to resume the peace process, can the current Israeli government, under the premiership of Mr. Sharon, facilitate the pursuit of its dangerous plans for imposing an unjust unilateral settlement on the Palestinian people.

This letter is in follow-up to our previous 181 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 27 February 2004 (A/ES-10/257-S/2004/167), constitute a basic record of the crimes committed by the Israeli occupying forces against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

Accordingly, in follow-up to the above-mentioned letters, it is my profound regret to inform you that, since my last letter to you five days ago, at least 12 Palestinians have been killed by the Israeli occupying forces, raising the total number of martyrs killed since September 2003 to 2,789 Palestinians. (The names of the martyrs that have been identified are contained in the annex to the present letter.)

I would be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(Signed) Nasser Al-Kidwa
Ambassador
Permanent Observer of Palestine to the United Nations

**Annex to the identical letters dated 3 March 2004 from the
Permanent Observer of Palestine to the United Nations addressed
to the Secretary-General and the President of the Security Council**

**Names of martyrs killed by the Israeli occupying forces in the
Occupied Palestinian Territory, including East Jerusalem*
(Saturday, 28 February 2004, to Wednesday, 3 March 2004)**

Saturday, 28 February 2004

1. Mahmoud Abdel Fatah Joudeh
2. Ayman Shabaan Al-Dahdouh
3. Amin Hamdan Al-Dahdouh

Sunday, 29 February 2004

1. Mohammed Zuheir Mahmoud Oweis
2. Riyadh Said Abu Shalal

Monday, 1 March 2004

1. Zeibeh Jamil Ayman Ady
2. Mohammed Mahmoud Ahmed Abu Rajab

Wednesday, 3 March 2004

1. Quies Aref Ofeh (18 years old)
2. Mohamed Dawood Badwan (died from wounds sustained on 26 February 2004)
3. Ibrahim Al-Deiry
4. Amar Hassan
5. Terad Al-Jimaly

* The total number of Palestinian martyrs killed by Israeli occupying forces since 28 September 2000 is 2,789.